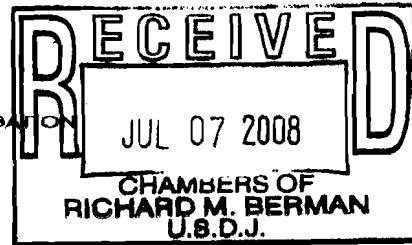


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VIA FAX

July 7, 2008

Honorable Richard M. Berman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

MEMO ENCL SED

Re: Elsevier, Inc. et. al. v. Arjun Sagar, et. al., 08-CV-4960

Judge Berman:

Further to my telephone call to chambers, my office was retained late this afternoon to represent Defendants in the above-referenced action.

I have just been advised that a Conference has been scheduled for tomorrow morning, Tuesday, July 8, 2008 at 9:30am, and I am unable to appear for same. As such, I respectfully request an adjournment of the Conference. Such would also provide time for counsel to confer regarding the Case Management Plan and discuss settlement possibilities.

I have contacted Plaintiff's attorney, William Dunnegan, and opposing counsel has consented to an adjournment.

Should you require any additional information, please contact me at (631) 727-3400.

Application granted. Conference  
adjourned to 7/31/08 at 9:00 a.m.

SO ORDERED:  
Date: 7/7/08

Richard M. Berman, U.S.D.J.

Respectfully submitted,  
  
Todd Wengrovsky

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